

NEM:MS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

AKEEM BALOGUN,

Defendant.

REMOVAL TO THE
NORTHERN DISTRICT OF
NEW YORK

(Fed. R. Crim. P. 5)

Case No. 24-MJ-202

----- X

EASTERN DISTRICT OF NEW YORK, SS:

Connor Liggett, being duly sworn, deposes and states that he is a Deputy Marshal with the United States Marshals Service (“USMS”), duly appointed according to law and acting as such.

On or about December 5, 2023, the United States District Court for the Northern District of New York issued a warrant for the arrest of the defendant AKEEM BALOGUN for violating Title 18, United States Code, Sections 1344 and 1349 (conspiracy to commit bank fraud).

The source of your deponent’s information and the grounds for his belief are as follows:¹

1. On or about December 5, 2023, a federal grand jury in the Northern District of New York returned an indictment (the “Indictment”) charging the defendant AKEEM BALOGUN with violating Title 18, United States Code, Sections 1344 and 1349 (conspiracy to commit bank fraud). A true and correct copy of the Indictment is attached as Exhibit A.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

2. On or about that same day, December 5, 2023, the United States District Court for the Northern District of New York issued a warrant (the “Warrant”) for the arrest of the defendant AKEEM BALOGUN. A true and correct copy of the Warrant is attached as Exhibit B.

3. On or about March 6, 2024, law enforcement agents arrested the defendant AKEEM BALOGUN in Brooklyn, New York pursuant to the Warrant.

4. During his arrest, the defendant AKEEM BALOGUN confirmed his name and date of birth to law enforcement agents, which matched the name and date of birth of the AKEEM BALOGUN wanted in the Northern District of New York. Law enforcement agents also compared the physical appearance of AKEEM BALOGUN to a photograph of AKEEM BALOGUN contained in records on file with the USMS of the AKEEM BALOGUN wanted in the Northern District of New York and he appeared to be the same person depicted in this photograph. Finally, law enforcement agents confirmed that the defendant AKEEM BALOGUN’s fingerprints matched fingerprint records on file with the USMS for the AKEEM BALOGUN wanted in the Northern District of New York.

5. Based on the foregoing, I submit that there is probable cause to believe that the defendant is the AKEEM BALOGUN wanted in the Northern District of New York.

WHEREFORE, your deponent respectfully requests that the defendant AKEEM BALOGUN be removed to the Northern District of New York so that he may be dealt with according to law.

Connor Liggett
Connor Liggett
Deputy Marshal
United States Marshals Service

Sworn to before me this
6th day of March, 2024

 S/ Cheryl Pollak

THE HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA) Criminal No. 1:23-CR- 491 (GLS)
v.)
)
)
OLUWASEUN ADEKOYA, a/k/a "John)
Calling,")
)
DAVID DANIYAN, a/k/a "Bamikole)
Laniyan," a/k/a "David Enfield," a/k/a)
"Tajudeen Dosunmu," a/k/a "David)
James," a/k/a "Tony James," a/k/a)
"James Bush,")
)
AKEEM BALOGUN,)
)
JERJUAN JOYNER,)
)
GAYSHA KENNEDY,)
)
VICTOR BARRIERA,)
)
[REDACTED])
)
DANIELLE CAPPETTI,)
)
and)
[REDACTED])
)
Defendants.) Counties of Albany, Clinton,
) Offenses: Rensselaer, and
) Saratoga



THE GRAND JURY CHARGES:

The Scheme to Defraud

1. Between on or about December 1, 2021 and on or about April 4, 2023, in the Northern District of New York, and elsewhere, the defendants, **OLUWASEUN ADEKOYA**, a/k/a "John Calling," **DAVID DANIYAN**, a/k/a "Bamikole Laniyan," a/k/a "David Enfield,"

a/k/a “Tajudeen Dosunmu,” a/k/a “David James,” a/k/a “Tony James,” a/k/a “James Bush,” AKEEM BALOGUN, JERJUAN JOYNER, GAYSHA KENNEDY, VICTOR BARRIERA, [REDACTED], DANIELLE CAPPETTI, and [REDACTED], and others, devised and intended to devise a scheme and artifice to defraud financial institutions by impersonating customers of credit unions throughout the United States and fraudulently withdrawing funds from the customers’ accounts.

Manner and Means

2. Many credit unions throughout the United States were members of the Co-op Solutions Shared Branch network (“Shared Branch network”). The Shared Branch network enabled the customers of member credit unions to perform a range of transactions at other member credit unions. This enabled member credit unions to serve their customers in diverse geographic locations.

3. Among other transactions, the Shared Branch network permitted the customers of a member credit union to withdraw funds from their account at another member credit union by presenting a photo identification and providing their account number and the last four digits of their Social Security number.

4. Between at least on or about December 1, 2021 and on or about April 4, 2023, the defendants devised and perpetrated a scheme to defraud various credit unions, the accounts of which were insured by National Credit Union Share Insurance Fund, by exploiting the Shared Branch network.

5. Participants in the scheme, including defendants ADEKOYA and DANIYAN, obtained the names, account numbers, and last four digits of the Social Security numbers for customers of member credit unions. That information was provided to other participants in the

scheme, including defendants **BARRIERA, CAPPETTI**, [REDACTED], who impersonated the customers at other member credit unions; presented fake driver's licenses in the customers' names but bearing their photographs; and fraudulently withdrew funds from the customers' accounts. Other participants in the scheme, including defendants **BALOGUN, JOYNER, and KENNEDY**, drove the participants impersonating the customers to numerous credit unions in certain geographic areas.

6. In the course of the scheme, the defendants were collectively involved in more than 200 fraudulent transactions at credit unions in the Northern District of New York and all over the country, with losses exceeding \$900,000.

COUNT 1
[Conspiracy to Commit Bank Fraud]

7. Paragraphs 1 through 6 are hereby realleged and incorporated as if fully set forth herein.

8. From on or about December 1, 2021 through on or about April 4, 2023, in Albany, Clinton, Rensselaer, and Saratoga Counties in the Northern District of New York, and elsewhere, the defendants, **OLUWASEUN ADEKOYA, a/k/a "John Calling," DAVID DANIYAN, a/k/a "Bamikole Laniyan," a/k/a "David Enfield," a/k/a "Tajudeen Dosunmu," a/k/a "David James," a/k/a "Tony James," a/k/a "James Bush," AKEEM BALOGUN, JERJUAN JOYNER, GAYSHA KENNEDY, VICTOR BARRIERA, [REDACTED], DANIELLE CAPPETTI, and [REDACTED]** and others, conspired to commit bank fraud by knowingly executing and attempting to execute a scheme and artifice to defraud financial institutions, and to obtain monies, funds, and assets owned by, and under the custody and control of, financial institutions, by means of false and fraudulent pretenses and representations, in violation of Title 18, United States Code, Section 1344(1) and (2).

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2 through 9
[Aggravated Identity Theft]

9. Paragraphs 1 through 8 are hereby realleged and incorporated as if fully set forth herein.

10. On or about the dates specified below, in the Northern District of New York, and elsewhere, the defendants, **OLUWASEUN ADEKOYA**, a/k/a “John Calling,” **DAVID DANIYAN**, a/k/a “Bamikole Laniyan,” a/k/a “David Enfield,” a/k/a “Tajudeen Dosunmu,” a/k/a “David James,” a/k/a “Tony James,” a/k/a “James Bush,” **VICTOR BARRIERA**, [REDACTED], and **DANIELLE CAPPETTI**, during and in relation to a felony violation contained in Chapter 63 of Title 18 of the United States Code, that is a violation of Title 18, United States Code, Sections 1349 and 1344 (conspiracy to commit bank fraud), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, and aided and abetted others in the transfer, possession, and use, without lawful authority, of a means of identification of another person, that is, the names identified below during and in relation to the offense identified in Count One of this indictment:

Count	Defendant(s)	Approximate Date	Branch Location	Individual
2	[REDACTED]	May 7, 2022	Albany, New York	S.A.
3	[REDACTED]	May 7, 2022	Rensselaer, New York	T.R.
4	OLUWASEUN ADEKOYA	May 18, 2022	Latham, New York	M.M.
5	OLUWASEUN ADEKOYA	May 18, 2022	Latham, New York	R.C.
6	DAVID DANIYAN and VICTOR BARRIERA	May 19, 2022	Albany, New York	J.G.

7	DAVID DANIYAN and VICTOR BARRIERA	May 19, 2022	Cohoes, New York	K.W.
8	DANIELLE CAPPETTI	February 1, 2023	Rouses Point, New York	K.F.
9	DANIELLE CAPPETTI	February 1, 2023	Plattsburgh, New York	T.J.

all in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

FORFEITURE ALLEGATION

1. The allegations contained in Count One of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2).

2. Upon conviction of conspiracy to commit bank fraud, as charged in Count One of the Indictment, in violation of Title 18, United States Code, Sections 1349 and 1344, the defendants, **OLUWASEUN ADEKOYA, a/k/a “John Calling,” DAVID DANIYAN, a/k/a “Bamikole Laniyan,” a/k/a “David Enfield,” a/k/a “Tajudeen Dosunmu,” a/k/a “David James,” a/k/a “Tony James,” a/k/a “James Bush,” AKEEM BALOGUN, JERJUAN JOYNER, GAYSHA KENNEDY, VICTOR BARRIERA, [REDACTED], DANIELLE CAPPETTI, and [REDACTED]**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, and derived from, proceeds the person obtained directly and indirectly, as the result of such violations. The property to be forfeited includes, but is not limited to, the following:

- a. All cash seized on May 19, 2022 from a 2016 Nissan Rogue, New York License Plate xxxxx67, totaling approximately \$10,000.00;

- b. All cash seized on October 27, 2022 from a 2022 Toyota RAV4, Florida License Plate xxxx72, totaling approximately \$9,512.67; and
- c. A money judgment in an amount to be determined.

3. If any of the property described above, as a result of any act or omission of either defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Dated: December 5, 2023

A TRUE BILL, *Name Redaction

[REDACTED]

Grand Jury Foreperson

CARLA B. FREEDMAN
United States Attorney

By:


Benjamin S. Clark
Assistant United States Attorney
Bar Roll No. 703519

EXHIBIT B

UNITED STATES DISTRICT COURT

for the

Northern District of New York



ORIGINAL

United States of America

v.

OLUWASEUN ADEKOYA,
a/k/a "John Calling", Et Al.

)
)
)
)
)

Case No. 1:23-CR-491 (cons)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Akeem Bologun,

who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

18 U.S.C. §§ 1344, 1349 - Conspiracy to commit bank fraud

Date: 12/05/2023

Issuing officer's signature

City and state: Albany, NY

Christian F. Hummel, US Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: Akeem Balogun

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 05/19/1968

Social Security number: 843-66-9056

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____